

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION**

PENNY BALDWIN,	 	
	 	
Plaintiff,	 	
	 	
-vs-	 	CA NO: 0:04-22882-MJP-BM
	 	
	 	<u>ORDER</u>
	 	
CITY OF CHESTER, CITY OF	 	
CHESTER POLICE	 	
DEPARTMENT AND CHESTER	 	
CITY COUNCIL,	 	
Defendant.	 	

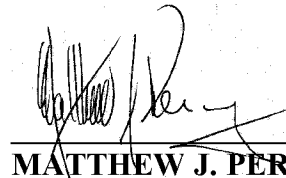
This is an employment discrimination case filed by the plaintiff, Penny Baldwin, pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et. seq., and the Equal Pay Act, 29 U.S.C. § 206(d). The plaintiff alleges that she was subjected to discrimination on account of her sex. The defendant denies the plaintiff's allegations and has filed a motion for summary judgment. The matter is now before the Court upon the Report and Recommendation of the United States Magistrate Judge recommending that the defendant's motion for summary judgment be denied.

As to his findings on dispositive matters, the Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. See Mathews v. Weber, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination

of those portions of the Recommendation to which specific objection is made.

Here, defendant has not filed objections to the Report and Recommendation. Nonetheless, this Court has made a *de novo* review of the record before it. Upon consideration, the Court has determined that the Report and Recommendation of the Magistrate Judge should be and is hereby approved. The defendant's motion for summary judgment is denied.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Matthew J. Perry, Jr.', is written over a horizontal line.

MATTHEW J. PERRY, JR.
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
_August 28, 2006